

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)	
)	
Wisconsin Department of Administration)	
University of Wisconsin)	EPA-5-98-113 (a) WI-7
Superior, Wisconsin)	
)	
PROCEEDINGS PURSUANT TO)	
SECTIONS 113(a) and 114)	
OF THE CLEAN AIR ACT,)	
42 U.S.C. §§ 7413(a) and 7414.)	

STATUTORY AUTHORITY

The following Order is issued pursuant to Sections 113(a) and 114 of the Clean Air Act (Act), 42 U.S.C. §§ 7413(a) and 7414.

REGULATORY BACKGROUND

1. The Administrator of the United States Environmental Protection Agency (U.S. EPA) approved Wisconsin Administrative Code NR 154.11 on March 9, 1983, at 48 Fed. Reg. 9860, as part of the federally enforceable State Implementation Plan (SIP) for Wisconsin, pursuant to Section 110(a) of the Act, 42 U.S.C. §7410(a).
2. NR 154.11(6) (b)1 limits the visible emissions into the ambient air from any direct source constructed on or before April 1, 1972, to a density of 40 percent opacity.
3. Section 113(a) of the Act, 42 U.S.C. § 7413(a), states that whenever the Administrator of the U.S. EPA finds that any person has violated or is in violation of any requirement or prohibition of an applicable SIP, the Administrator shall notify that person and the State in which the plan applies of such finding.
4. Section 113(a) of the Act, 42 U.S.C. § 7413(a), authorizes the Administrator to issue an order requiring such person to comply with the requirements or prohibitions of an implementation plan.
5. Section 114(a) of the Act, 42 U.S.C. § 7414(a), authorizes the Administrator to require any person who owns or operates any emission source to establish and maintain records of emissions; install, use, and maintain equipment for the monitoring of such emissions; sample emissions; and provide other information relative to such emissions, as may be reasonably required.

STATEMENT OF FACTS

6. The Wisconsin Department of Administration (WDA) is the owner and operator of coal/gas fired boilers identified as Boilers B20 and B21, at the University of Wisconsin in Superior, Wisconsin. Boilers B20 and B21 are sources of particulate and visible emissions and are subject to the requirements of NR 154(6) (b) 1.
7. On December 22, 1997, David Kee, Director, Air and Radiation Division, Region 5, issued a Notice of Violation, pursuant to Section 113 of the Act, 42 U.S.C. § 7413, to the University of Wisconsin in Superior, alleging violation of the opacity limitation found at NR 154.11(6) (b)1 for Boilers B20 and B21, based on opacity readings taken on October 23, 1996 and October 27, 1997. A copy of the Notice was sent to the State of Wisconsin.
8. On August 8, 1998, U.S. EPA held a telephone conference with WDA regarding the alleged violations, pursuant to Section 113 of the Clean Air Act.

ORDER

After thorough investigation of all relevant facts, taking into account the seriousness of the violations and efforts made by WDA to comply with applicable regulations, it is determined that the actions hereby ordered and agreed to are reasonable and meet the requirements of Sections 113(a) (1) and 114 of the Act, 42 U.S.C. §§ 7413(a) and 7414.

THEREFORE, IT IS HEREBY AGREED AND ORDERED THAT:

9. As of the effective date of this Order, the Boilers at the University of Wisconsin, shall be operated to maintain continuous compliance with Wisconsin SIP rules NR 154.11(6) (b)1 and 154.11(4) (b)1a.
10. By August 1, 1999, WDA shall install and certify a continuous opacity monitor at the stack of the heating plant at the University of Wisconsin in Superior and install permanent scaffolding and test ports for the purpose of conducting particulate emission testing.
11. During the ¹⁹⁹⁹⁻²⁰⁰⁰ ~~1998-1999~~ heating season and the 2000-2001 heating season, WDA shall conduct one stack emission test in accordance with test methods prescribed by 40 C.F.R. Part 60, Appendix A, Methods 1-5, to demonstrate compliance with the emission limitation while operating at the highest steam production rate practicable. Representative soot blowing and ash pulling sequences shall be completed during at least one run of each test.
12. WDA shall notify U.S. EPA of such tests and supply a copy of the test protocol to U.S. EPA at least three (3) weeks prior to the test date.

X changed
F: 1/1/01
D: 1/1/01

The test protocol shall identify the operating load at which the boiler will be tested, the coal quality and the duration of soot blowing and ash pulling.

13. Results of the stack test shall be submitted to the U.S.EPA within 60 days of the test date, including all information specified in paragraph 11 above. At no time shall WDA operate the boiler at a maximum three hour average steam production rate greater than 110% of the steam production rate carried during the stack emission test.
14. In order to assure long-term continuous compliance, WDA shall implement the following measures:
 - (a) At the beginning of each heating Season the facility will only start coal fires in boilers B20 or B21 when the average daily steam demand can reasonably be expected to average above 20,000 pounds steam per hour. The local office of the Wisconsin Department of Natural Resources will be notified at least 48 hours in advance of the planned initiation of coal fuel.
 - (b) The coal fire startup sequence will include the following steps to minimize visible emissions:
 1. Coal Ash, fire brick or other non-combustible material will be placed on the boiler grate surface to prevent overfeeding of coal during the initial introduction of coal to the boiler.
 2. The coal boiler to be brought on line will have been operated on natural gas fuel so that the combustion chamber is heated to its operating condition and the boiler is operating at normal plant steam pressure of 125 PSIG.
 3. The Boiler operator will check that good quality coal is transferred to the coal hopper for introduction into the boiler.
 4. Before introducing coal into the combustion chamber the operator will manually control the gas burner to a decreased firing rate and allow the boiler steam pressure to decrease to approximately 70-75% of normal operating pressure. At this time, coal will be introduced into the boiler. As the coal begins to ignite, the gas burner will be operated over the coal to aid in the combustion of carbon and particulate matter given off by the coal fire.
 5. As the coal fire stabilizes and boiler pressure approaches operating pressure the use of the gas burner will be gradually reduced and the burner will be taken off line.

MONITORING AND REPORTING REQUIREMENTS

15. Under the authority of Section 114 of the Act, 42 U.S.C. §7414, WDA shall maintain hourly and daily average logs of steam production for Boilers B20 and B21.
16. Beginning with the first calendar quarter after installation of the continuous opacity monitor, WDA shall submit to U.S. EPA and WDNR submit quarterly excess emission reports (EERS) for opacity emissions recorded on the University of Wisconsin Superior Campus Stack, identifying each 6-minute average exceedance and the cause of such exceedance. The reports shall also identify the total operating hours for each boiler and the total duration (and percentage of operating time) of opacity exceedances for the quarter. Such reports shall be submitted within 30 days of the end of each calendar quarter.
17. All submittals shall be sent to Joseph Cardile, Air Enforcement and Compliance Assurance Branch (AE-17J), U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

GENERAL PROVISIONS

18. Nothing contained in this Order shall affect the responsibility of WDA to comply with all applicable Federal, State or local laws or regulations, including Section 303 of the Act, 42 U.S.C. § 7603.
19. Nothing in this Order shall be construed to restrict, in any way, U.S. EPA's authority under Section 114 of the Act, 42 U.S.C. § 7414.
20. The provisions of this Order shall apply to and be binding upon WDA, its officers, directors, agents, servants, employees and any successor(s) in interest. WDA shall give written notice of this Order to any successor(s) in interest prior to transfer of ownership, and shall simultaneously send a copy of such written notice to:

Chief, Air Enforcement and Compliance Assurance Branch
Air and Radiation Division
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard (AE-17J)
Chicago, Illinois 60604-3590

21. The information required to be maintained or submitted pursuant to this Order is not subject to the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501 et seq.

22. This Order is effective on the date of signature by the Director, of the Air and Radiation Division, and shall terminate three (3) years after such date of signature.

Date

12/14/98

Stephen Rothblatt, Acting Director
Air and Radiation Division

Date

12-3-98

Authorized Representative
Title: **STATE POWER PLANT ENGINEER**
Wisconsin Department of Administration